

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIACLAUDIA GARCIA,
Plaintiff,

v.

ISS FACILITY SERVICES, INC., et al.,
Defendants.Case No. [19-cv-07807-RS](#)**ORDER RE MOTION FOR
CONTINUANCE**

The parties previously stipulated to an extended briefing schedule for plaintiff's motion for class certification, and a hearing date was set for March 24, 2022. Under the stipulated schedule, the deadline for plaintiff to file her motion was January 11, 2022. Asserting that she missed that deadline due to a calendaring error, on January 28, 2022, plaintiff filed a motion to extend all the briefing schedule deadlines and the hearing date by 90 days. By order entered February 2, 2022, the request for a 90-day extension was denied. Noting the policy favoring dispositions on the merits, however, the order provided a short extension of the briefing schedule, so that plaintiff would not be precluded from "going forward merely because she missed the deadline for filing her motion."

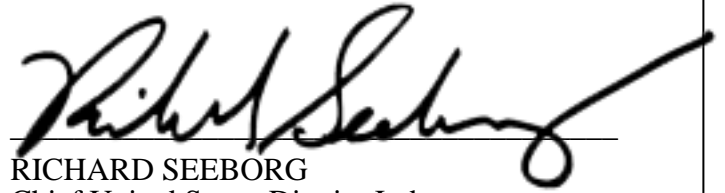
The day before her motion was due under the new deadline set by the February 2, 2022, order, plaintiff filed a request for an additional 30-day extension. Plaintiff apparently interpreted the short extension of briefing as designed to give her the opportunity to complete certain additional discovery. That was not the intent. The request for a 90-day extension was denied

precisely because plaintiff had failed to show there was critical discovery that she had been unable to obtain despite diligent efforts, such that delaying the class certification motion was warranted. The present motion likewise fails to make an adequate showing to justify the extension requested.

Despite her request for a continuance, plaintiff nonetheless timely filed her motion for class certification. The continuance is therefore denied as moot.

IT IS SO ORDERED.

Dated: February 22, 2022



RICHARD SEEBORG
Chief United States District Judge

United States District Court
Northern District of California